

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

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NIKKI K. CRAW,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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Case No. 3:07-CV-1849

(Judge Kosik)

**MEMORANDUM AND ORDER**

NOW, this 25th day of July, 2008, **IT APPEARING TO THE COURT THAT:**

(1) On October 11, 2007 the plaintiff filed the above-styled action pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3) seeking review of the defendant's decision to deny the plaintiff's claim for Supplemental Security Income and Disability Insurance Benefits;

(2) This matter was assigned to Magistrate Judge Malachy E. Mannion;

(3) The parties filed appropriate briefs, and the Magistrate Judge issued a Report and Recommendation on July 3, 2008;

(4) In the Report and Recommendation, the Magistrate Judge reviewed the arguments raised by plaintiff and concluded that the decision of the ALJ was supported by substantial evidence. Thus, he recommended that the plaintiff's appeal be denied;

(5) Neither the plaintiff nor the defendant filed objections to the Report and Recommendation;

**AND, IT FURTHER APPEARING THAT:**

(6) If no objections are filed to a magistrate judge's report and recommendation, the plaintiff is not statutorily entitled to a *de novo* review of his claims. See 28 U.S.C.

§ 636(b)(1)(C); Thomas v. Arn, 474 U.S. 140, 150–53 (1985). Nonetheless, the usual practice of the district court is to give “reasoned consideration” to a magistrate judge’s report prior to adopting it. See Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987).

(7) Having considered the Magistrate Judge’s Report, we agree with the recommendation;

**ACCORDINGLY, IT IS HEREBY ORDERED THAT:**

(1) The Report and Recommendation of Magistrate Judge Malachy E. Mannion dated July 3, 2008 (Document 14) is **ADOPTED**;

(2) The plaintiff’s appeal is **DENIED**; and

(3) The Clerk of Court is directed to **CLOSE** this case and to **FORWARD** a copy of this Memorandum and Order to the Magistrate Judge.

*s/ Edwin M. Kosik*  
United States District Judge